

06-24-03
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RCE 1280
PATENT APPLICATION #14/RCE
11/6/3

In re: PATENT APPLICATION of:
Inventor(s): Wipawan Yindeepol et al.
Appln. No.: 041,112

Group Art. Unit 2815
Examiner: B.W. Baumeister
Atty. Dkt. 100-22801
No.

P05122-C1

Client Ref

Filed: January 8, 2002
Title: Zenerium Using Double Poly Process

RCE

DO NOT USE FOR PROVISIONAL, DIVISIONAL, OR DESIGN APPLICATIONS, OR REEXAMINATION OF PATENTS

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Date: June 23, 2003

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) UNDER RULE 114

Please continue the examination of this application.

PREREQUISITES

This application was filed on/after June 8, 1995, is not abandoned, and no court action has been filed, or if filed, it has been terminated.

An issue fee **has not been** paid (unless a petition under Rule 313(c)(2) is also being filed -- see item 4 below).

Prosecution has been closed as defined in Rule 114(b).

Reply to any outstanding action and Rule 17(e) filing fee must be enclosed

This application is entitled under Rule 114 to withdrawal of any outstanding finality or of any allowance plus a new action by the Examiner. Consideration on the merits of each submission (e.g., IDS, Amendment, new arguments, new evidence, but not appeal/reply briefs themselves) filed herewith is respectfully requested.

Please consider the following before the next Official Action:

1. Please ☒ enter ☐ do not enter the Amendment filed
2. ☒ The enclosed Amendment with One Sheet of Red-Lined Amended Drawings (Fig. 5-6.)
3. ☒ The enclosed Revocation of Power of Attorney by Assignee, Appointment of New Counsel and Change of Address.
4. ☐ Consider the arguments in the appeal brief filed ___ and reply brief filed
5. ☐ The issue fee has been paid, but this RCE is based on Rule 313(c)(2). See enclosed petition.
6. ☐ The enclosed Information Disclosure Statement.
7. ☒ The Enclosed Non-Publish Request.
8. ☐ Please suspend action under Rule 103(c) for a period of ___ months (3 mos. Max) for which the required \$130 fee is enclosed
9. ☒ A check in the amount of \$1214 is enclosed of which \$750 is the required RCE filing fee and a \$110 fee for a One Month Extension of Time, \$270 for 15 extra total claims and \$84 for 1 extra independent claim. (Postcard, fee transmittal (with copy) and One Month Extension of Time (with copy) are also attached.)

(Our Deposit Account No. 502305)

(Atty. Dkt No.) 100-22801 (P05122-C1)

Express Mail No. EV342471295US

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Correspondence Address Below Law Offices of Mark C. Pickering

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Petaluma, CA 94953-0300
(707) 762-5500

By Atty:

Mark C. Pickering

Reg. No. 36,239

Sig:

Mark C. Pickering
6-23-03

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Customer No. 33402
06/25/2003 DTESSEM1 00000145 10041112

01 FC:1801
02 FC:1202
03 FC:1201

750.00 OP
270.00 OP
84.00 OP

FREE TRANSMITTAL
For FY 2003
 Paid Fees are subject to annual revision.
 Express Mail No. EV342471295US

TOTAL AMOUNT OF PAYMENT \$1214

Complete if Known

Application Number 10/041,112

Filing Date January 8, 2002

First Named Inventor Wipawan Yindeepl et al.

Examiner Name B.W. Baumeister

Group Art Unit 2815

Attorney Document No. 100-22801 (P05122-C1)

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge any fees or credit any overpayment under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 502305
LAW OFFICES OF MARK C. PICKERING

☐ Applicant claims small entity status. See 37 CFR 1.27.

2. ☒ **Payment Enclosed:**
☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

LARGE ENTITY		SMALL ENTITY		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility	
1002	330	2002	260	Design	
1003	520	2003	255	Plant	
1004	750	2004	375	Reissue	
1005	160	2005	80	Provisional	
SUBTOTAL (1)					0

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims		Extra Claims	Fee from below	Fee Paid
35 - 20 **	= 15	x 18	= \$ 270	
Independent 4 - 3	= 1	x 84	= \$ 84	
Multiple Dep.		*	= \$ 0	

** or number previously paid, if greater; for Reissues, see below:

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claim in excess of 20	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim, if not paid	
1204	84	2204	42	** Reissue ind. claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					\$354

3. Additional Fees

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee	Fee Code	Fee		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2520	1812	2520	For filing a request for ex parte reexamination	
1804	920	1804	920	Requesting publication of SIR prior to Examiner action	
1805	1840	1805	1840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	110
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1450	2254	725	Extension for reply within fourth month	
1255	1970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1510	1451	1510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive-unavoidable	
1453	1300	2453	650	Petition to revive-unintentional	
1501	1300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(g)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention be examined (37 CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	750
1802	900	1802	900	Request for expedited examination of a design application	
*Reduced by Basic Filing Fee Paid SUBTOTAL (3)					\$860

SUBMITTED BY

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Date: 6-23-03
 By: Mark C. Pickering
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RECEIVED
 JUN 25 2003
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